

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No.: 3:19 CR 103-TAV-DCP-1
	)	
JASON BRIAN LYONS,	)	
	)	
Defendant.	)	

**ORDER**

This criminal case is before the Court for consideration of the Report and Recommendation entered by United States Magistrate Judge Debra C. Poplin on March 31, 2021 (the “R&R”) [Doc. 54]. There have been no timely objections to the R&R and enough time has passed since the filing of the R&R to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); Fed. R. Crim. P. 51. In the R&R, Magistrate Judge Poplin recommends that the Court deny defendant’s Application to Proceed in District Court Without Prepaying Fees or Costs [Doc. 50] and certify that defendant’s appeal is not taken in good faith, as he indicates that he does not intend to present any issues on appeal.

After a review of the R&R and the record in this case, the Court is in agreement with Magistrate Judge Poplin’s recommendation, which the Court adopts and incorporates into its ruling. Thus, the Court **ACCEPTS IN WHOLE** the R&R [Doc. 54] and it is **ORDERED** that the defendant’s Application to Proceed in District Court Without Prepaying Fees or Costs [Doc. 50] is **DENIED**. The Court further **CERTIFIES** that any

appeal in this case would not be taken in good faith, as defendant has indicated that he does not intend to raise any issues on appeal.

IT IS SO ORDERED.

s/ Thomas A. Varlan  
UNITED STATES DISTRICT JUDGE